

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA]	
]	
v.]	No. 20-CR-00006-PB
]	
CHRISTOPHER CANTWELL]	
]	

**OBJECTION TO GOVERNMENT’S MOTION IN LIMINE:
TO EXCLUDE OTHER ACTS OF THIRD PARTIES**

The Government filed a motion to exclude evidence that Bowl Patrol (“BP”) members other than Vic Mackey and Cheddarmane harassed the Defendant leading up to the communication that form the basis for the present charges. For the reasons noted below, such evidence is admissible.

“Cheddarmane” and the Bowl Patrol espoused a goal of mercilessly harassing Chris Cantwell to anger him, ruin his business, and draw the attention of the FBI. For months, the group’s members incessantly “prank” called Cantwell’s online radio show, Radical Agenda, with the intent of disrupting the program. As the alleged victim (speaking as Cheddarmane) stated on a podcast in late 2018, “a close friend of mine is going to be calling in” to the Radical Agenda tomorrow “and asking him about his butt hole . . .” Cheddarmane then cited a character he plays when prank calling. He then explained that Cantwell was “so sick of our calling in” (in reference to the Bowl Patrol) that he “predict[ed] that” due to the volume of calls he and his friends planned for Monday, that “Monday will be the last day that Radical Agenda is an open call show.” Cheddarmane thus publicly expressed his intention that Bowl

Patrol's calls (including his own) would cause Cantwell to suspend the primary feature of his radio program, its call-in format.

Cantwell knew that the prank calls were coming from the Bowl Patrol. The callers intentionally cited Bowl Patrol names and catch phrases ("Bottom Text," "butthole," "Mosin Nagant" "[a named mass murderer] did nothing wrong") to ensure Cantwell knew that the caller was a Bowl Patrol collaborator. After calling, the Bowl Patrol would splice their favorite Radical Agenda "prank" calls into their own podcast (the Bowlcast) and gloat about how angry they were making Cantwell. Cheddarmane, a frequent host of the Bowlcast, worked in concert with the other Bowl Patrol members to maximize their disruption of Cantwell's show and the harm they caused him.

The group relied on its anonymity to amplify its impact. The alleged victim alone used at least a half-dozen pseudonymous online monikers including, "Cheddy Black," "Cheddar Man," "The Nigga," "Fuck you," and "Demarcus Chambers," and made prank calls as "Fevs," "George Knox," and other names unknown. Group members appeared as different characters and spoofed their phone numbers to work around Cantwell's efforts to block offending numbers. As Vic Mackey acknowledged on the podcast noted above, "The funniest thing to me is that it wasn't until a few days ago that Chris [Cantwell] even knew that was me calling in and doing the [character's name] calls. It's funny because he would get so angry about it" and he thought it was someone else. In the same episode, Vic Mackey asked the host: "Did you listen to the show where BP we called in probably five of us in a row and he just

blew up after Cheddarmane did ‘Hey Cantwell, it is [character name], I’m just fingering my buttohole.’”

The Bowl Patrol created a game of whack-a-mole. Cantwell attempted to squelch a seemingly infinite number of pseudonyms and phone numbers to stop the harassment and disruption. Cantwell knew that Vic Mackey and Cheddarmane were leaders of this cyber bullying campaign. He knew that Vic Mackey and Cheddarmane were working in concert with others in the Bowl Patrol. Cantwell, however, was often uncertain who was calling at any given time as the group intentionally obscured their identities and called as characters. Cantwell knew that Cheddarmane was one of his frequent harassers, even though, at times, he was uncertain whether he was speaking with Cheddarmane. That mask of anonymity was a deliberate strategy used by Cheddarmane and the Bowl Patrol to cause greater aggravation. Cantwell was upset with Cheddarmane not because of Cheddarmane’s actions as an individual or because of his disruptive calls, but because of his involvement in a mob coordinating months of purposeful cyber bullying.

The harassment by Cheddarmane, Vic Mackey, and other Bowl Patrol members is admissible. It is part of a conspiracy and strategy adopted and endorsed by Cheddarmane and is necessary context to understand the Defendant’s intent in making the charged statements. As such, it is relevant and admissible.

Respectfully submitted,
Christopher Cantwell
By His Attorney,

Date: September 16, 2020

/s/ Eric Wolpin
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CERTIFICATE OF SERVICE

I hereby certify that the above document was served on September 16, 2020 to all counsel of record and in the manner specified herein: electronically served through ECF.

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